



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

MAR 8 2001

DOT-E 11458
(SEVENTH REVISION)

EXPIRATION DATE: November 30, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bristol-Meyers Squibb Co.
Stamford, CT

(See Appendix A to this document for a list of additional grantees)
2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of display packs of consumer commodities of Classes 2, 3, 8, 9 and Division 5.1 in packages that exceed the 30 kg gross weight limit. This exemption provides no relief from any regulation other than as specifically stated herein.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: The marking requirements of §§ 172.203(a) and 173.156(b), in that transportation by common carriers is authorized.
5. BASIS: This exemption is based on the application of Bristol-Meyers Squibb Co. dated February 23, 2001, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/Hazardous Materials Description	Hazard Class/Division	Identification Number	Packing Group
Consumer commodity of Classes 2, 3, 8, 9 and Division 5.1	ORM-D	None	None

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Combination packages, which conform to the packaging requirements of Subpart B of 49 CFR Part 173, meeting the following limitations:
- (1) The inner containers must conform to the quantity limits for inner packagings prescribed in §§ 173.150(b), 173.152(b), 173.154(b), 173.155(b) and 173.306(a) and (b), as appropriate.
 - (2) The inner containers must be packed into trays to prevent individual containers from moving freely inside the completed combination package during transportation.
 - (3) The tray(s) must be placed into a fiberboard box. The fiberboard box must be banded and secured to the pallet by metal, fabric, or plastic straps to form a single palletized unit.
 - (4) The maximum net quantity of hazardous material permitted on one palletized unit is 550 kilograms.

8. SPECIAL PROVISIONS:

- a. For the purpose of this exemption display packs are defined as follows: a pallet-sized package intended to be placed on the floor of retail instrumentalities, and provide direct customer access to consumer commodities contained therein once the outer fiberboard packaging is removed.
- b. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.
- c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.
- d. The outside of each palletized unit covered by this exemption must be plainly and durably marked with "Consumer commodity, ORM-D" in a surrounding rectangle as prescribed in § 172.316 and "DOT-E 11458" in letters at least 1 inch in height and on backgrounds of sharp contrasting color. Additionally, the marking requirements of § 172.203(a) are waived.

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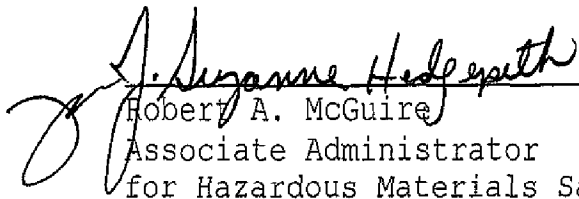
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: Packages covered by this exemption may be transported by rail freight only in trailer-on-flat-car (TOFC) or container-on-flat-car (COFC) service, or roadrailer/railrunner.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: sln


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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Accra Pac, Inc. Elkhart, IN	Mar 7, 2001	Mar 22, 2001	Nov 30, 2002
Best Foods, Inc. Englewood Cliffs, NJ	May 23, 2001	MAY 25 2001	Nov 30, 2002
Carter-Wallace, Inc. Cranbury, NJ	May 21, 2001	MAY 25 2001	Nov 30, 2002
Clairol Incorporated Stamford, CT	Feb 23, 2001	Mar 8, 2001	Nov 30, 2002
ConAgra Grocery Products, Inc. Division of ConAgra Foods, Inc. (also doing business as IHEP, Inc. Milton, PA	Dec 11, 2000	Dec 21, 2000	Nov 30, 2002
Creative Products Inc. Rossville, IL	Dec 27, 2000	Jan 25, 2001	Nov 30, 2002
IHFP, Inc. Milton, PA (Former Grantee: American Home Foods, Inc.)	Dec 11, 2000	Dec 21, 2000	Nov 30, 2002
Reckitt Benckiser, Inc. Wayne, NJ	Feb 1, 2001	Feb 16, 2001	Nov 30, 2002
The Clorox Company Oakland, CA	Feb 23, 2001	Mar 8, 2001	Nov 20, 2002


 For Robert A. McGuire
 Associate Administrator for
 Hazardous Materials Safety